



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 3]
No. 3]

नई दिल्ली, शनिवार, दिसम्बर 27, 1980/पोष 6, 1902
NEW DELHI, SATURDAY, DECEMBER 27, 1980/PAUSA 6, 1902

हम भाग में भिन्न पृष्ठ संख्या की जाती हैं जिससे कि वह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (iii) Part II—Sec. 3—Sub-Sec. (iii)

(संघ राज्यक्षेत्र प्रशासनों को छोड़ कर) केंद्रीय प्राधिकारियों द्वारा जारी किए गए आदेश और अधिसूचनाएं
Orders and Notifications issued by Central Authorities (other than Administrations of Union Territories)

भारत निर्वाचन आयोग

नई दिल्ली, 31 अक्टूबर, 1980

कां० 3662 :—योक प्रतिनिधित्व अधिनियम, 1951 की धारा 106 की उपधारा (क) के अनुसरण में निर्वाचन आयोग 1980 की निर्वाचन धर्जों सं० 2 में दिया गया उच्च न्यायालय, दिल्ली का तारीख 24 सितम्बर 1980 का आदेश प्रकाशित करता है।

[सं० 82/दिल्ली-नो० 50/2/80]

आदेश से
के० गणेशन, सचिव

ELECTION COMMISSION OF INDIA

New Delhi, the 31st October, 1980

S.O. 3662.—In pursuance of sub-section (a) of Section 106 of the Representation of the People Act, 1951 (42 of 1951), the Election Commission hereby publishes the judgment dated the 24th September, 1980 of the High Court of Delhi, in election petition No. 2 of 1980.

IN THE HIGH COURT OF DELHI AT NEW DELHI

Election Petition No. 2/80

Subhash Arya son of Shri Achraj Lal, resident of J-7/53A Rajouri Garden, New Delhi. Petitioner

Versus

Shri Charanjit Singh son of Shri Mohan Singh, C/o M/s. Pure Drinks (P) Ltd., Mohan Singh Building, Connaught Place New Delhi. Respondent.

Election Petition under Section 81 of the Representation of the People Act, 1951 praying that :

- The election of the respondent, the returned candidate be declared to be void.
- and the petitioner be allowed the costs of the petition against the respondent.

This the 24th day of September, 1980.

CORAM :

HON'BLE MR. JUSTICE S. S. CHADHA

For the Petitioner.—Mr. R. P. Bansal, Advocate.

For the respondent.—Mr. M. C. Bhandare, Sr. Advocate with Mrs. S. Bhandare, Advocate.

S. S. CHADHA, J.—The election of Shri Charanjit Singh (the respondent) the returned candidate to the Lok Sabha from South Delhi Parliamentary Constituency at the last general elections of the Parliamentary constituencies held in January, 1980 has been called in question in this election petition by Shri Subhash Arya. The election petition under Section 81 of the Representation of the People Act, 1951 (hereinafter called the Act) was filed on February 20, 1980 for declaring the election of the respondent void on the grounds specified under Section 100(1)(a), 100(1)(d)(i), 100(1)(d)(iii) and 100(1)(d)(iv) of the Act.

After the receipt of the pleadings of the parties the following issues were framed on May 7, 1980 :—

- Whether the petitioner is an elector of the South Delhi Parliamentary Constituency and thus competent to present this election petition? O.P.P.

- 2 Whether the allegations of improper reception of votes contained in para 10 (xi) of the election petition lack in material particulars? If so, to what effect? O.P.R.
3. Whether the nomination paper of the respondent was improperly accepted by the Returning Officer? O.P.P.
4. If issue No. 3 is held in favour of the petitioner, whether the result of the election in so far as it concerns the returned candidate, has not been materially affected? O.P.R.
5. Whether on the date of his election, the respondent was not qualified to be chosen to fill the seat under the Representation of People Act, 1951 inasmuch as the respondent was not an elector for the South Delhi Parliamentary Constituency or for any other Parliamentary Constituency as alleged in para 10 of the election petition? O.P.P.
6. Whether the election of the respondent is liable to be declared void as a result thereof under Section 100(1)(a)? O.P.P.
- 7 Whether there was any improper reception of votes? O.P.P.
8. If issue No. 7 is held in favour of the petitioner whether the result of the election, in so far as it concerns the returned candidate, has been materially affected and thus the election of the respondent is liable to be declared void under Section 100(1)(d)(iii).
9. Relief.

Issues Nos. 1 and 2 were treated as preliminary issues and it was directed that Issues Nos. 7 and 8 would arise for determination on the decision of Issue No. 2. Issues Nos. 1 and 2 were determined by the judgment dated July 21, 1980. Issue No. 1 was decided in favour of the petitioner. Issue No. 2 was held in favour of the respondent and against the petitioner. The petitioner was called upon to furnish further and better particulars of the allegations contained in para 10 (xi) by making it full, more detailed and more informative as indicated in the judgment. Mr. R. P. Bansal, the learned counsel for the petitioner, however, by his statement made on August 4, 1980 gave up the pleas which are subject matter of Issues Nos. 7 and 8. Issues Nos. 7 and 8 thus did not survive for the trial and disposal of the election petition. The election petition was put for trial on Issues Nos. 3 to 6 and Issue No. 9.

Issues Nos. 3 and 5

Issues Nos. 3 and 5 are inter-connected. The plea contained in the election petition is that the respondent was not an elector for the Parliamentary constituency in dispute or for any other Parliamentary constituency and as such he did not fulfil the qualification for membership of the House of the People. The material facts on which this plea is based are stated in para 10 of the election petition in these words. The Representation of the People Act, 1950 makes provision for preparation of electoral rolls and matters connected therewith. Section 21 deals with the preparation and revision of electoral rolls. The election in dispute was a mid-term election necessitated by dissolution of Parliament by the President. The electoral rolls were revised as required under Section 21 in respect of the constituency in dispute. In the revision based on spot enquiries and verification, names of voters were added and deleted according to facts. Names of voters added and deleted were properly given and published in the relevant electoral list. The relevant electoral list in this context is Part 51 of South Delhi Parliamentary Constituency. It is then stated in sub-para (v) to (vii) :-

- "(v) After spot verification and enquiries the name of the respondent was deleted from the list of electors as contained in part 51 of the electoral roll. This was done by the concerned Electoral Registration Officer in exercise of his powers under Section 21 of the R.P. Act, 1950. Names of persons appearing from serial No. 70 to 81 in part No. 51 of the electoral roll pertaining to the

Parliamentary constituency in dispute were deleted. At serial No. 70 the name of Nand Lal figured and at serial No. 81 the name of Matbar Singh appeared. Names of persons commencing from the name of Nand Lal to the name of Matbar Singh were deleted from the list of electors. Both name inclusive. Name of the respondent appeared at serial No. 74 in Part 51 of the South Delhi Parliamentary Constituency electoral roll. Thus the name of the respondent stood deleted from the said electoral roll. The electoral roll with these additions and deletions and corrections was duly notified as required under law. It was open to inspection by public. Such a list with amendments including additions, deletions and other corrections was a printed one.

- (vi) The list as referred to above was published finally after inviting claims and objections for inclusion or deletion and corrections and decisions on such claims and objections.
- (vii) In the exercise of his powers under Rule 18, 20, 21 and 21-A of the Registration of Electors Rules, 1960, names of electors were added to part 51 and other amendments including deletions and corrections in part 51 of the electoral roll pertaining to the parliamentary constituency in dispute were carried out and published finally (Serial No. 2156 to 2335). In this list also the names of the respondent did not figure".

It is thereafter pleaded that the respondent did not make any application in accordance with law or otherwise for inclusion of his name at serial No. 74 in the relevant part of the electoral roll. The plea further is that the respondent in collusion with some members of the staff in the office of the Electoral Registration Officer got one errata printed to include and add his name in the electoral list unauthorisedly and illegally after the final publication of the electoral roll and on the basis thereof sought to be considered as an elector in the Parliamentary constituency in dispute. It is further submitted that legally the Hindi version of electoral list is considered authentic and it prevails over the version in English or other language and the position explained above is with reference to Hindi version.

The respondent in his written statement had denied that he was not an elector for the parliamentary constituency in dispute or that he did not fulfil the qualifications for membership of the House of the People. Sub-para (v) of para 10 of the written statement is in these words :-

- "With reference to sub-para (v), the respondent denies that after spot verification and enquiries, the name of the respondent was deleted from the list of electors as contained in Part 51 of the electoral roll. The respondent has been an elector and continuously residing at the same place for about 20 years. The respondent contested the parliamentary General Election in 1977 as a voter shown at the same place in the Electoral Rolls. There was no question of election of his name from the Electoral Rolls and no deletion was done as alleged. Moreover, no spot verification or enquiries could ever have indicated that the respondent was not residing at his ordinary place of residence. The respondent denies that alleged omission was done by the concerned electoral registration officer in exercise of his powers u/s 21 of the R.P. Act, 1950. The respondent denies that the names of persons appearing from serial No. 70 to 81 in Part No. 51 of the Electoral Roll pertaining to the Parliamentary Constituency in dispute were deleted. The respondent submits that only the names appearing at serial No. 70 and 81 were deleted. The respondent submits that at Sr. No. 70 the name of Shri Nand Lal appeared and at Sr. No. 81, the name of Matbar Singh appeared. The respondent says, that the respondent's name appeared at Sr. No. 74 his wife's name appeared at Sr. No. 75, his brother's name appeared at Sr. No. 72 and his nephew's name appeared at Sr. No. 73. All these members of the family have been residing at the same place and their names were not at all deleted. The respondent denies that the respondent's name stood deleted from the said electoral roll. The respondent denies that the electoral roll with alleged deletion of the respondent's name was duly notified as required under law. The respondent

says that the electoral rolls was open to inspection by public, and that he had caused inspection to be taken of the English roll and it clearly included his name."

The acceptance of the nomination paper of the respondent by the Returning Officer is pleaded as improper on the ground that the respondent was not an elector at the material time. The averment is that the nomination paper was accepted by the Returning Officer in spite of the objections raised against the same. Before the Returning Officer a certified copy of the relevant entry at serial No. 74 of Part 51 of the electoral roll in English for South Delhi Parliamentary Constituency was presented and that itself was considered as conclusive evidence of the fact that the respondent was an elector from this constituency in view of the provisions of sub-section (7) of section 36 of the Act. The stand is that the certified copy of an entry in the electoral roll is conclusive evidence of the fact that the person referred to in that entry is an elector for that constituency is only for the purposes of Section 36 of the Act for scrutiny of nominations. It is not conclusive evidence at the trial of a declaration, a statement. The improper acceptance of the nomination paper of the respondent is subject matter of Issue No. 3. The plea whether the respondent was an elector is subject matter of Issue No. 5.

It is apposite to refer to some statutory provisions before considering the evidence. Article 84 of the Constitution of India provides the qualification for membership of Parliament. A person is not qualified to be chosen to fill a seat in Parliament unless he, inter alia, possesses such other qualifications as may be prescribed in that behalf by or under any law made by Parliament. The Parliament has enacted the Act to provide for the conduct of elections to the House of Parliament and to the House or House of Legislature of each State, the qualifications and disqualifications of membership of those Houses, the corrupt practices and other offences at or in connection with such elections and the decisions of doubts and disputes, arising out of or in connection with such elections. Under Section 4 of the Act, a person shall not be qualified to be chosen to fill a seat in the House of People unless in case of unreserved seat, "he is an elector for any Parliamentary constituency". By virtue of definition contained in Section 2(e), an "elector" in relation to a constituency means, a person whose name is entered in the electoral rolls of that constituency for the time being in force and who is not subject to any of the disqualifications mentioned in Section 16 of the Representation of the People Act, 1950 (hereinafter referred to as R.P. Act, 1950). The provisions relating to the preparation of electoral rolls are contained in R.P. Act 1950, Part IIB and Part III. The provisions of Part III apply in relation to every parliamentary constituency in a Union Territory not having any Legislative Assembly as they apply in relation to an assembly constituency. The disqualifications for registration in an electoral roll are contained in Section 16 of the R.P. Act, 1950. It is not the petitioner's case that the respondent suffers or has incurred any disqualification. Section 21 of the R.P. Act, 1950 provides for preparation and revision of electoral rolls. The electoral roll for each constituency has to be prepared in the prescribed manner by reference to the qualifying date and comes into force immediately upon its final publication in accordance with the rules made under that Act. A special revision of the electoral rolls for any constituency can also be directed by the Election Commission. Corrections of entries in the electoral roll of the constituency is in the manner provided in Section 22. Section 23 provides for the inclusion of names in electoral rolls. A person whose name is not included in the electoral roll of a constituency can apply to the electoral registration Officer for the inclusion of his name in that roll. The electoral registration officer is enjoined, if satisfied that the applicant is entitled to be registered in the electoral roll, to direct his name to be included therein. No amendment, transposition or deletion of any entry can be made under Section 22 and no direction for the inclusion of a name in the electoral roll of a constituency can be given under Section 23 after the last date for making nomination for an election in that constituency or in the Parliament constituency within which that constituency is comprised and before the completion of that election.

Under Section 21 of the R.P. Act, 1950, the preparation and revision of electoral rolls has to be in the prescribed manner. The Registration of Electoral Rules, 1960 prescribes

the procedure for the preparation of the electoral rolls. Under Rule 4, the roll for each constituency has to be prepared in such form and in such language or languages as the Election Commission may direct. The electoral roll has to be divided into convenient parts. The information has to be supplied by occupants of dwelling houses in the constituency or any part thereof for the purpose of preparing the electoral roll. Rule 10 provides that as soon as the roll for a constituency is ready, the registration officer shall publish it in draft by making a copy thereof available for inspection and displaying a notice in Form 5 at the specified places and giving further publicity to the roll. The claims and objections are then lodged in the form and manner laid down in Rules 13 and 14. The claims and objections are considered in the manner prescribed in Rules 15 to 20. Rule 21 provides for the inclusion of names inadvertently omitted. Rule 21A provides for the deletion of names of dead electors and of persons who cease to be, or are not, ordinarily residents. The final publication of the electoral rolls is in the manner prescribed by Rule 22. The Registration Officer is required to prepare a list of amendments to carry out his decisions under Rules 18, 20, 21 and 21A and to correct any clerical or printing errors or other inaccuracies subsequently discovered in the roll and publish the roll, together with the list of amendments, by making a complete copy thereof available for inspection and displaying a notice in Form 16 at his office. On such publication, the roll together with the list of amendments is the electoral roll of the constituency.

The petitioner summoned four witnesses. P.W. 2 Shri Chander Lal Aggarwal, an official from Chief Electoral Office, Delhi brought the original electoral roll pertaining to South Delhi Parliamentary Constituency including Part 51 together with all additions, deletions and corrections in the electoral roll for election held in January, 1980. Copy of the electoral roll in Hindi relating to Part 51 was produced at the instance of the petitioner and is Ex. PW-2/1 (20 sheets). The copy of the electoral roll in English relating to Part 51 was produced during the cross-examination and is Ex. PW-2/2 (20 sheets). The counsel for the respondent also got produced the original enumeration book relating to Kothi No. 9 of Friends Colony and is Ex. PW-2/3. P.W. 3, Shri R. K. Ahuja, Chief Electoral Officer, Delhi was not examined as the electoral rolls were produced by P. W. 2 and the witness was discharged. P.W. 4 Shri B. Prasad was examined without oath for production of the file. He is the Returning Officer and produced the complete File No. SD/80/5 containing the documents relating to nomination papers, orders about the scrutiny of nomination papers, Part 51 of the electoral roll in Hindi including errata duly authenticated by the Electoral Registration Officer etc. Mrs. Anila Gupta who was the Electoral Registration Officer as well as the Assistant Returning Officer in respect of South Delhi Parliamentary Constituency in the election held in January, 1980 was produced by the petitioner as P.W. 5. She stated broadly the procedure for the preparation of the voters lists, the performance of the duties by the enumerators in accordance with the instructions given to the enumerators as contained in Ex. PW 5/1, the duties entrusted to the supervisors, the preparation of the manuscripts of the draft electoral roll, the printing of the draft electoral roll, the display of the draft electoral roll and the inviting of the objections, the consideration of the objections and the finalisation of the electoral roll.

As is evident from the instructions to enumerators, Ex. PW-5/1, the Election Commission of India had issued orders for the conduct of mid-term poll. It had also been directed that the electoral rolls of the Union Territory of Delhi be revised intensively by door to door survey under "Electoral Card" system. The electoral roll so revised was to be utilised for the mid-term poll. Under the system of Electoral Card the enumerator visits every house in the area assigned to him : contacts each family residing therein ; prepares the electoral card by writing thereon all the existing names in the electoral roll supplied to him, in respect of that particular family, in duplicate, as the duplicate copy has to be supplied to the house-holder or any other member available. It is the common case that electoral roll prepared for the year 1976 for the South Delhi Parliamentary constituency was the existing electoral roll (working copy) before the Electoral Registration Officer for the preparation and revision of the electoral roll for the mid-term poll for the South Delhi Parliamentary constituency. The first page of the electoral roll in Hindi Ex. PW-2/1 (20 sheets) and in English, Ex. PW-2/2 (20 sheets) contains the particulars "Union Territory of Delhi-electoral roll-1976-South Delhi Parliamentary

constituency-Part-51". The electoral card in the Enumerators book, Ex. PW-2/3 contains the particulars of the voters of Kothi No. 9, Friends Colony. It contains the entries relating to 11 persons giving the name of the elector, father's/mother's or husband's name, male or female and approximate age on 1-1-79. Entry at serial No. 3 reads "Charanjeet Singh—Mohan Singh-M-36" in the four columns. Entry at serial No. 10 is "Matbar Singh—Gaur Singh-M-69". This entry is scored and a remark is written against it as "L". This is in pursuance of the instructions for writing the names of the voters on the card. The existing voters who have been found to have left that place or have died, had to be deleted from the electoral roll by indicating on the electoral card with proper remarks against the relevant entry. Mrs. Anila Gupta had also stated that in the form prepared by the enumerators, the enumerators would also indicated by putting the abbreviation 'D' as the person dead or abbreviation 'L' as the person left. The requirement of the preparation of electoral rolls is in three languages i.e. Hindi, English and Urdu vide para 8 of Ex. PW-5/1. The fair lists are required to be prepared in Hindi on the basis of information contained in the electoral cards. The statement of Mrs. Anila Gupta is that the enumerators brought the enumeration books to the office, that the Supervisors checked the enumeration books in the office and thereafter a manuscript of the electoral rolls was prepared, that the manuscript of the electoral rolls was then sent to the printing press and the printed document was the draft electoral rolls, that the draft electoral rolls were displayed at the notified places and the objections were invited, that after the objections were received, the Electoral Registration Officer and the Assistant Registration Officer went into the merits of those objections and passed appropriate orders and that the electoral rolls were then finalised. The counsel for the petitioner had required Mrs. Anila Gupta to produce the manuscript in Hindi as well as in English of the electoral rolls of South Delhi Parliamentary constituency. Mrs. Anila Gupta stated that she had requested the District Election Officer to hand over to her those manuscripts but she was informed in writing that the manuscripts in Hindi and English relating to South Delhi Parliamentary constituency are not traceable and that the manuscripts of the electoral rolls are not retained as a matter of practice because sometimes they are lost from the printing press and sometimes they got mutilated. There is sufficient explanation to the non-production of the manuscripts in Hindi as well as in English of the electoral roll of South Delhi Parliamentary constituency. The witness, however, admits that the manuscripts were prepared both in Hindi as well as in English.

The English version of the electoral roll of South Delhi Parliamentary constituency—Part 51 is Ex. PW-2/2 (20 sheets). It contains a certificate signed by Mrs. Anila Gupta, the Electoral Registration Officer on November 30, 1979 reading :—

"Certified that this part of Electoral Roll is upto date. The Basic Roll, the supplements, Deletions, Corrigenda and the Errata have been prepared in accordance with the Registration of Electors Rules, 1960. It contains entries from S. No. 1 to 2335."

The name of the respondent appears at serial no. 74 with the spelling in the name as "Charanjeet Singh". Ex. PW-2/2 also contains additions, corrigenda, deletion list and the errata. A corrigenda prepared under the Registration of Electors Rules, 1960 gives the revised entry at serial No. 74 in the name of elector as "Charanjit Singh". A certified copy of the extract from the electoral roll, Part 51 of the South Delhi Parliamentary constituency in English version is Ex. R-1. It is an extract from serial No. 74. It contains the corrigenda also showing the revised entry as "Charanjit Singh". The respondent also obtained an extract from electoral roll for the purpose of filing it before the Returning Officer. The certificate of Shri Charanjit Singh being an elector was presented before the Returning Officer on December 11, 1979. The certified true copy of the extract from the electoral roll was issued by the Superintendent, Office of the Chief Electoral Officer, Delhi on November 30, 1979. It is Ex. PW-5/2. This shows that the respondent was an elector at serial No. 74 of Part 51 of the South Delhi Parliamentary constituency on the material date. An objection was raised at the time of scrutiny of the nomination papers before the Returning Officer. A Hindi version of the electoral roll duly authenticated by the Electoral Registration Officer for South Delhi Parliamentary constituency was filed before the Returning Officer. The file was produced on the

request of the petitioner by Shri B. Prasad, Returning Officer. The counsel for the respondent tendered into that file and stated that the file may be read into evidence. The authenticated copy of the electoral rolls contains a certificate in Hindi signed by Mrs. A. Gupta on November 30, 1979 in the same words as the certificate in English. The last page of the Electoral roll containing the errata in the deletion list states that the word "५" occurring between serial No. 70 and Nand Lal and serial No. 81 is to be treated as "५६". It bears the initials of the Electoral Registration Officer. The errata means that in the deletion list, the word "to" between serial No. 70 and 81 is to be treated as "cancelled". Identical is the position in the copy of the electoral roll, Ex. PW-2/1 (20 sheets) produced by P.W. 2 at the instance of the petitioner. P.W. 2 had brought the original electoral roll pertaining to the South Delhi Parliamentary constituency including Part 51 together with all additions, deletions, corrections in the electoral roll for election held in January, 1980 as maintained by the Chief Electoral Officer. In the cross-examination of Mrs. Anila Gupta, it was brought out that the errata marked Ex. PW-5/3 in the voters list, Ex. PW-2/1 (20 sheets) was there when she authenticated the voters list on November 30, 1979. She was also asked to see the enumeration book relating to Kothi No. 9, Friends Colony produced by P.W. 2 and she again stated that the enumeration book was the basic document and it would show whether the respondent was an elector in the South Delhi Parliamentary constituency. Counsel for the respondent hesitated to ask any further question. Counsel for the petitioner in re-examination got the matter clinched that the witness had checked the enumeration book, Ex. PW-2/3 at the time of scrutiny of the nomination papers and before that when certificate of being an elector was issued to Shri Charanjit Singh. From this evidence, the inference is irresistible that the errata was issued before November 30, 1979 when the Hindi version of the voters list was authenticated by the Electoral Registration Officer.

The argument of Mr. R. P. Bansal, the learned counsel for the petitioner is that the electoral roll for each constituency had to be prepared in such form and in such languages as the Election Commission may direct. He urges that the Election Commission had directed the preparation of the electoral roll in Hindi and that the printed electoral roll in English is only a translation. Reference was made to the instructions contained in Ex. PW-5/1 calling upon the enumerators to do the fair work in Hindi, to prepare electoral card in Hindi very legibly and then to prepare the fair lists in Hindi on the basis of information contained in the electoral roll. It is so stated but that is not amounting to a direction issued by the Election Commission for the preparation of the electoral roll for each constituency in such language or languages as required by Rule 4 of the Registration of Electors Rules, 1960. The preparation of electoral rolls has been directed in three languages, namely, Hindi, English and Urdu as is clear from Ex. PW-5/1. Mrs. Anila Gupta deposes that the electoral rolls were prepared in Hindi as well as in English. She is, however, unable to recall if Urdu version of any part of electoral roll was prepared for South Delhi Parliamentary constituency. Article 345 of the Constitution provides that subject to the provisions of Articles 346 and 347, the Legislature of a State may by law adopt any one or more of the languages in use in the State or Hindi as the language or languages to be used for all or any of the official purposes of that State. That proviso provides that until the Legislature of the State otherwise provides by law, the English language shall continue to be used for those official purposes within the State for which it was being used immediately before the commencement of this Constitution. English has, therefore, been directed to be used for all official purposes. In "M/s. J. K. Jute Mills Co. Ltd. v. State of Uttar Pradesh and another", AIR 1961 SC 1534, the U.P. State Sales Tax (Validation) Act, 1958 was published both in Hindi and in English and the question arose as to which is the authorised version. On a consideration of the provisions of Article 345, their Lordships held that the Validation Act was published both in Hindi and in English and both of them were authorised versions. A Full Bench of the Allahabad High Court in "Jaswant Sugar Mills Ltd. Meerut v. The Presiding Officer, Industrial Tribunal (III) U.P. Allahabad and others" AIR 1962 All 240 noted that both the Hindi version as also the English translation were published in the State Gazette and held that it is, therefore, obvious that Hindi version as also its English translation are authoritative. The Full Bench

of the Allahabad High Court went to the extent of saying that English version is to be treated as authoritative in case of conflict between the two versions. The preparation of the electoral roll in English was under the direction of the Election Commission under Rule 4 of the Registration of Electoral Rules, 1960. The English version of the electoral roll is also authoritative. The respondent is shown as an elector in the English version of the electoral roll.

Counsel for the petitioner gave an opportunity to Mrs. Anila Gupta to explain if there is a conflict between the electoral roll in Hindi with that of electoral roll in English. She stated that the conflict is resolved by a reference to the enumeration book, which is the basic document. In the enumeration book, the name of the respondent appears as a voter and has not been elected in the manner required.

Counsel for the petitioner wants to make a capital out of the admission made by Mrs. Anila Gupta that the errata in the voters list in Hindi relating to the name of Charanjit Singh (Respondent) was not issued under her signatures. She gives the explanation that it was a merely clerical or printing error in the Hindi version of the voters list. It is no doubt true that the corrections of entries in the electoral roll of the constituency is in the manner provided in Section 22 of the R. P. Act, 1950 and Section 23 provides for the inclusion of the names in electoral rolls. A person whose name is not included in an electoral roll of a constituency, can apply to the Electoral Registration Officer for the inclusion of his name in that roll. The Electoral Registration Officer is enjoined, it satisfied that the applicant is entitled to be registered in the electoral roll, to direct his name to be included therein. These provisions are, however, not applicable to the facts of this case as the respondent's name was included in the electoral roll at all stages. When a deletion list was being issued, it was erroneously stated that voters bearing serial No. 70 to 81 are deleted. The enumeration book had not shown that the persons from serial No. 71 to 80 have left or dead. It is only Matbar Singh, Gaur Singh—Male 69 who had left. There was thus error in the printing of the deletion list when the word “से” was inserted between the two deletion entries. This was corrected though without the specific orders of the Electoral Registration Officer. It was a mere printing error for which an errata was issued. The printing error is established as in the English version of the electoral roll, the entries of deletion are at serial No. 70 and thereafter 81.

No amendment, transposition or deletion of any entry can be made under Section 22 and no direction for the inclusion of a name in the electoral roll of a constituency can be given under Section 23, after the last date for making nominations for an election in that constituency or in the Parliamentary constituency within which that constituency is comprised and before the completion of that election. This is so provided in Section 23(3) of the R.P. Act, 1950. The respondent obtained the extract from the electoral roll, Ex. PW-5/2 on November 30, 1979. It showed the respondent as an elector in the constituency. If the name of the respondent had been deleted from the Hindi version of the electoral roll of the constituency, then the certified copy of the extract from the electoral roll would normally not have been issued to the respondent. If in fact the name of the respondent stood deleted and there was no errata issued in the Hindi version of the electoral roll, then there was ample time for the respondent to have his name included as the last date of nomination was December 10, 1979. Three persons had separately proposed and filed the nomination papers under Rule 4 of the Conduct of Election Rules, 1961. The respondent assented to those nominations and gave his assent on December 5, 1979. It is thus clear that the respondent was keen to contest the election and he could not do so unless he was an elector of any Parliamentary constituency. If the name of the respondent stood deleted from the Hindi version of the electoral roll, there was no impediment or obstruction in the way of the respondent in having his name included before December 10, 1979.

The result of the above discussion is that the petitioner has not been able to establish that the name of the respondent was deleted from the list of electors as contained in Part 51 of the electoral roll of South Delhi Parliamentary constituency in force for the time being. The enumeration book, Ex. PW-2/3, shows no such deletion. The enumeration book is the basic document. Mrs. Anila Gupta, Electoral Registration Officer's statement clinches the issue when

she states that she checked the enumeration book, Ex. PW-2/3 at the time of scrutiny of the nomination papers and before that when certificate of being an elector was issued to Shri Charanjit Singh. In the Hindi version of the electoral roll, copy Ex. PW-2/1 (20 sheets), the deletion list does contain the deletion of the names from serial No. 70 to 81, but at the same time it contains the errata that the word “से” occurring between serial No. 70 Nand Lal and serial No. 81 is to be treated as “रद्द” i.e. the word “to” between serial No. 70 and 81 is to be treated as cancelled. This errata was there on November 30, 1979 when the electoral roll was authenticated by the Electoral Registration Officer and duly published. There is no rule that the printing error in the electoral roll could be corrected only under the orders of the Electoral Registration Officer. The name of the respondent is entered at serial No. 74 in the Hindi version of the electoral roll of Part 51 of the South Delhi Parliamentary constituency authenticated on November 30, 1979 and which electoral roll was in force at all material times. The name of the respondent is entered as serial No. 74 in the English version of the electoral roll. Copy Ex. PW-2/2 (20 sheets) of Part 51 of the South Delhi Parliamentary constituency for the time being in force. The direction of the Election Commission for the preparation of the electoral roll for the South Delhi Parliamentary constituency included its preparation in English language. The English version of the electoral roll was thus an authorised version. I hold that the respondent was an elector for the South Delhi Parliamentary constituency and was thus qualified to be chosen to fill the seat under the Representation of the People Act, 1951. Issue No. 3 is held against the petitioner and in favour of the respondent. Issue No. 5 is also held against the petitioner and in favour of the respondent.

Issue Nos. 4 and 6

In view of my finding that the respondent was qualified to be chosen to fill the seat under the Representation of the People Act, 1951 as he was an elector at serial No. 74 in Part 51 of the electoral roll for the South Delhi Parliamentary constituency, issues Nos. 4 and 6 do not survive for any further discussion. The election of the respondent is not liable to be declared as void.

Issue No. 9

The election petition fails and is dismissed with costs. Counsel's fee Rs. 1,000.

September 24, 1980.

Sd/-

S. S. CHADHA, Judge.

[No. 82/DL-HP/2/80]

K. GENESAN, Secy

आदेश

नई दिल्ली 31 अक्टूबर, 1980

का० का० 3663.—यन० निर्वाचन आयोग का समाधान हो गया है कि मई 1980 में हुए पञ्जाब विधान सभा के लिए साधारण निर्वाचन के लिए 60-वृद्धिवाला खरम निर्वाचन क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री धर्मशेन सिंह, गांव नन्धपुर, गढ़माल ब जिला मुख्याना, लोक प्रति-निधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा प्रवेशित अपने निर्वाचन व्ययों का कोई भी लेखा शस्त्रित करने में असमर्थ रहे हैं।

और यतः, उक्त उम्मीदवार ने, सम्यक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायोजित्व नहीं है।

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग गतवृद्धा उक्त श्री धर्मशेन सिंह को सदस्य के किसी भी सदन के या किसी राज्य को विधान सभा अथवा विधान परिषद् के सदस्य चुन जाने और होने के लिए इस आदेश को सारोख में तीन वर्ष की कालावधि के लिए निरस्त घोषित करता है।

[स० पञ्जाब-वि०/६०/८०(19)]

ORDERS

New Delhi, the 31st October, 1980

S.O. 3663.—Whereas the Election Commission is satisfied that Shri Dharamjit Singh, Village Naulpur, Tehsil & District-Ludhiana (Punjab) a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 60-Ludhiana Rural constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Dharamjit Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/60/80(19)]

नई दिल्ली, 3 नवम्बर, 1980¹¹

क्र०आ० 3664.—यतः निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 95-फिरोजपुर निर्वाचन क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री खान मनी, गांव कुन्डे दाखली बरेके, तहसील फिरोजपुर (पंजाब), लोकप्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे है;

और यतः, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री खान मनी का संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि०स०/95/80(23)]

New Delhi, the 3rd November, 1980

S.O. 3664.—Whereas the Election Commission is satisfied that Shri Khan Masih, Village Kunde, Dakhli Bareke, Tehsil & District-Ferozepur (Punjab) a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 95-Ferozepur constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Khan Masih to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA, 95, 80(23)]

क्र०आ० 3665.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 95-फिरोजपुर निर्वाचन क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री गुरदियाल सिंह, गांव कौतवाल, पो० आ० फिरोजपुर कैंट (पंजाब), लोकप्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे है,

और यतः, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री गुरदियाल सिंह का संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि०स०/95/80(21)]

S.O. 3665.—Whereas the Election Commission is satisfied that Shri Gurdial Singh, Village Kotwal, P.O. Ferozepur Cantt. (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 95-Ferozepur constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Gurdial Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-I A/95/80(24)]

क्र०आ० 3666.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 4-श्री हरमोहिन्दपुर निर्वाचन क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री गुरबचन सिंह, जी०टी० रोड, बटाला, जिला गुरदासपुर (पंजाब) लोकप्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे है;

और यतः, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री गुरबचन सिंह का संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि०स०/4/80(22)]

S.O. 3666.—Whereas the Election Commission is satisfied that Shri Gurbachan Singh, G. T. Road, Batala, District Gurdaspur (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in May,

by the Representation of the People Act, 1951, and the Rules lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And, whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Gurbachan Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/4/80(22)]

का०आ० 3667.—यत्, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 2-बटाला निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री यश कमल पाठक, धिरा मोहल्ला, बटाला, जिला गुरदासपुर (पंजाब), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रीति में अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं,

और यत्, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री यश कमल पाठक को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि०स०/2/80(25)]

S.O. 3667.—Whereas the Election Commission is satisfied that Shri Yash Kamal Pathak, Dhiran Mohalla, Batala, District Gurdaspur (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 2-Batala constituency, has failed to lodge an account of his election expenses in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And, whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Yash Kamal Pathak to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/2/80(25)]

नई दिल्ली, 1 नवम्बर, 1980

का०आ० 3668.—यत्, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 99-मोगा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री कराम सिंह मालही, गांव ब पो० आ० नायाबन्दी, जिला फरीदकोट (पंजाब) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रीति में अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं:

और यत्, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10 क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री कराम सिंह मालही को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि०स०/99/80(26)]

New Delhi, the 4th November, 1980

S.O. 3668.—Whereas the Election Commission is satisfied that Shri Karam Singh Malhi, Village and P.O. Talwandi, District Faridkot (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980, from 99-Moga constituency has failed to lodge an account of his election expenses within the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And, whereas, the said candidate, even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Karam Singh Malhi to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/99/80(26)]

नई दिल्ली, 5 नवम्बर, 1980

का०आ० 3669.—यत्, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 79-शिरहिन्द निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री स्वर्ण सिंह, मोहल्ला गुरू नानकपुरा, बसी पठाना, जिला पटियाला (पंजाब), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यत्, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री स्वर्ण सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि०स०/79/80(30)]

New Delhi, the 5th November, 1980

S.O. 3669.—Whereas the Election Commission is satisfied that Shri Swarn Singh, Mohalla Guru Nanakpura, Bassi Pathana, District Patiala (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 79-Sirhind constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And, whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Swarn Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/79/80(30)]

का०आ० 3670.—यतः निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 8-मीना नगर (प्र० जा०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री दर्शन सिंह मजबूर, गांव व पा०आ० धारीवाल, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री दर्शन सिंह मजबूर को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि०स०/8/80(31)]

S.O. 3670.—Whereas the Election Commission is satisfied that Shri Darshan Singh Majboor, Village & P.O. Dhariwal, a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 8-Dinanagar (SC) Assembly constituency, has failed to lodge on account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Darshan Singh Majboor to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

By order,

[No. PB-LA/8/80(31)]

का०आ० 3671.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 75-समाना निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री हन्द सिंह, 60-डी, मॉडल टाऊन, पटियाला (पंजाब), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री हन्द सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि०स०/75/80(27)]

S.O. 3671.—Whereas the Election Commission is satisfied that Shri Inder Singh, 60-D, Model Town, Patiala (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 75-Samana

constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Inder Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/75/80(27)]

का०आ० 3672.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 75-समाना निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री असवन्त सिंह, ग्राम नमदा, पो०आ० गेजैवस, तहसील समाना, जिला पटियाला (पंजाब), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री असवन्त सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि०स०/75/80(28)]

S.O. 3672.—Whereas the Election Commission is satisfied that Shri Jaswant Singh, Village Namada, P. O. Gejewas, Tehsil Samana, District Patiala (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 75-Samana constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jaswant Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/75/80(28)]

का०आ० 3673.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 75-समाना निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री दीप चन्द, ग्राम रीथ खेरी, पो० आ० नन्दपुर केसो, तहसील व जिला पटियाला (पंजाब), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार ने, सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, अक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री डीप चन्द को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पञ्जाब-वि० सं०/75/80(29)]

आदेश से,

प्र० कु० चटर्जी, भवर सचिव
भारत निर्वाचन आयोग।

S.O. 3673.—Whereas the Election Commission is satisfied that Shri Deep Chand, Village Reeth Kheri, P. O. Nandpur Keso, Tehsil & District Patiala (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 75-Samana constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure,

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Deep Chand to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order

[No. PB-LA/75/80(29)]

By Order,

A. K. CHATTERJEI, Under Secy.
Election Commission of India.

नई दिल्ली, 18 नवम्बर, 1980

क्र०आ० 3674—यतः, निर्वाचन आयोग का समाधान हो गया है कि वर्ष, 1980, में हुए तमिलनाडु विधान सभा के लिए साधारण/उप निर्वाचन के लिए 192-अलंगुडी निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री ए० बालाकृष्णन, सूपुल श्री अय्याचामय, कुडुकुकाडु, वाडाकडु पोस्ट, अलंगुडी तालुक, जिला पुडुकोट्टै (तमिलनाडु), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं,

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई प्रत्यक्ष कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री ए० बालाकृष्णन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० त० ना० वि० सं०/192/80(32)]

ORDERS

New Delhi, the 18th November, 1980

S.O. 3674.—Whereas the Election Commission is satisfied that Shri A. Balakrishnan, S/o Shri Ayayachamy, Kudukkukadu, Vadakadu Post, Alangudi Taluk, District Pudukkottai (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 192-Alangudi constituency, has failed to lodge an account of his election expenses within the time and in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

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And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri A. Balakrishnan to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/192/80(32)]

क्र०आ० 3675—यतः, निर्वाचन आयोग का समाधान हो गया है कि वर्ष, 1980, में हुए तमिलनाडु विधान सभा के लिए साधारण/उप निर्वाचन के लिए 199-मनामदुरै (प्र० जा०) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री आर० उग्रपान्दिजन, सूपुल श्री काक्कन, भाराथी नगर, पारा माकुडी जिला, रामनाथापुरम (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं,

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई प्रत्यक्ष कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री आर० उग्रपान्दिजन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० त० ना० वि० सं०/199/80(33)]

S.O. 3675.—Whereas the Election Commission is satisfied that Shri K. Ugrapandian, Son of Kakkann, Bharathi Nagar, Paramakudi District, Ramanathapuram (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 199-Manamadurai (SC) constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri K. Ugrapandian to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/199/80(33)]

नई दिल्ली, 20 नवम्बर, 1980

क्र०आ० 3676—यतः, निर्वाचन आयोग का समाधान हो गया है कि वर्ष, 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 208 श्री तिल्लिपुथूर निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री टी० कालासालिगम, 56, सैंट लाजसस चर्च रोड, मद्रास-28, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई प्रत्यक्ष कारण या न्यायोचित्य नहीं है,

गणेश अन्नादुराग अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री टी. कालासलिंगम को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. तं. नं. वि. सं. 20/8/80 (34)]

S.O. 3676.—Whereas the Election Commission is satisfied that Shri T. Kalasalingam, 56, St. Lazarus Church Road, Madras-28, a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 208-Srivilliputhur constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act the Election Commission hereby declares the said Shri T. Kalasalingam to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/208/80(34)]

नई दिल्ली, 21 नवम्बर, 1980

को. आ. 3677—यतः निर्वाचन आयोग का समाधान हो गया है कि मई, 1980, में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 152-कारु निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री एन. नतेशन, 54 प्लॉट, प्रादा कशानम रोड, कारु तिरुचिरापल्ली जिला (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे है;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी अपनी असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई प्रयोज्य कारण या व्याख्यित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री एन. नतेशन, को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. तं. नं. वि. सं. 20/152/80 (35)]

New Delhi, the 21st November, 1980

S.O. 3677.—Whereas the Election Commission is satisfied that Shri N. Natesan, 54 Plot, Prada Kshanam Road, Karur Tiruchirappalli District (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 80 from 152-Karur constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri N. Natesan to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/152/80(35)]

को. आ. 3678—यतः निर्वाचन आयोग का समाधान हो गया है कि मई 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 156-थोथियम संसदीय निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री थो. के. कन्नायन, दारदारजपुरम पो. आ. मुसिरी तालुक, जिला तिरुचिरापल्ली (तमिलनाडु), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे है;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी अपनी असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई प्रयोज्य कारण या व्याख्यित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री थो. के. कन्नायन, को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. तं. नं. वि. सं. 20/156/80 (36)]

S.O. 3678.—Whereas the Election Commission is satisfied that Shri V. K. Kannaiyan Varadarajapuram P. D., Musiri Taluk, District Tiruchirappalli (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 156-Thottiam constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri V. K. Kannaiyan to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/156/80/(36)]

को. आ. 3679—यतः निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण उप निर्वाचन के लिए 159-ताल गूडी संसदीय निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री ए. के. वेम्मल, मुपुत्र श्री कामवथाय्यन, अनन्तिल पॉन्ट, लायगडी तालुक, तिरुचिरापल्ली जिला (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे है;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी अपनी असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई प्रयोज्य कारण या व्याख्यित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री ए. के. वेम्मल को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. तं. नं. वि. सं. 20/159/80 (37)]

S.O. 3679.—Whereas the Election Commission is satisfied that Shri A. K. Perumal, S/o Shri Kambathadiyan, Anbil Post, Lalgudi Taluk, Tiruchirappalli District, Tamil Nadu a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 159-Lalgudi constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri A. K. Perumal to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/159/80(37)]

का० आ० 3680—यत् निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 162-अरियलुर संसदीय निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री के० मुरुगेशन, कल्लाई थोलेषाडी (वाया) वेप्पूर, परम्बलुर तालुक, तिरुचिरापल्ली जिला, तमिलनाडु, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदर्थित बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्यय का लेखा दाखिल करने में असफल रहे हैं,

और यत्, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई प्रयोज्य कारण या व्यावहारिक नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री के० मुरुगेशन को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[स० न० न०-140 म०/162/80 (38)]

S.O. 3680.—Whereas the Election Commission is satisfied that Shri K. Murugesan Kallan Olupadi (Via) Veppur, Perambalur Taluk, Tiruchirappalli District, Tamil Nadu, a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 162-Ariyalur constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri K. Murugesan to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/162/80(38)]

का० आ० 3681—यत्, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 166-तिरुचिरापल्ली संसदीय निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री ए० सुब्रामणियन, 12-पी कानी बाजार, बिमानगर, तिरुचिरापल्ली-1 (तमिलनाडु), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदर्थित बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्यय का लेखा दाखिल करने में असफल रहे हैं

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और, यत्, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई प्रयोज्य कारण या व्यावहारिक नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री ए० सुब्रामणियन को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[स० न० न०-20 म०/166/80 (39)]

S.O. 3681.—Whereas the Election Commission is satisfied that Shri N. Subramanian, 12-P Kooni Bazaar, Beemanagar, Tiruchirappalli-1 (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 166-Tiruchirappalli-1 constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act the Election Commission hereby declare the said Shri N. Subramanian to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/166/80(39)]

मई दिनांक, 21 नवम्बर, 1980

का० आ० 3682—यत्, निर्वाचन आयोग का समाधान हो गया है कि मई 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 204-अरुप्पुकोट्टाई संसदीय निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री के० जवाहर, सुपुल श्री कम्पामन, पाखेरी, तिरुचुली पोस्ट, तिरुचुली तालुक (तमिलनाडु), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदर्थित बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्यय का लेखा दाखिल करने में असफल रहे हैं,

और, यत्, उक्त उम्मीदवार ने उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई प्रयोज्य कारण या व्यावहारिक नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री के० जवाहर को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[स० न० न०-140 म०/204/80 (40)]

New Delhi, the 24th November, 1980

S.O. 3682.—Whereas the Election Commission is satisfied that Shri K. Jawahar, S/o Shri Karuppanan, Pachri, Tiruchuli Post, Tiruchuli Taluk (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May 1980 from 204-Arappukotai constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri K. Jawahar to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/204/80(40)]

नई दिल्ली, 26 नवम्बर, 1980

क्र० आ० 3683 --यह निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 173-नन्निलम (अ० जा०) संसदीय निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री के० बालसुन्दरम, निजकुट्टी पेरलम पोस्ट, थनजावर जिला तनजावर जिला (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दायित्व करने में असफल रहे हैं।

और यह, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा सफाईकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्याख्या नहीं है।

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री के० बालसुन्दरम को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्षों की कालावधि के लिए निरहित घोषित करता है।

[स० त० न०-वि० सं०/173/80 (11)]

New Delhi, the 26th November, 1980

S.O. 3683.—Whereas the Election Commission is satisfied that Shri K. Balasundaram, Injikudy, Peralam Post, Thanjavur District Thanjavur (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 173-Nannilam (SC) constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declare the said Shri K. Balasundaram to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/173/80(41)]

क्र० आ० 3684.—यह निर्वाचन आयोग का समाधान हो गया है कि मई 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 186-वालंगमैन संसदीय निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री टी० कन्नसामी, नेट्टाक्काट्टई पोस्ट कोविलर पपानसम, ओरथानाड तालुक तनजावर जिला (तमिलनाडु), लोक प्रतिनिधित्व अधिनियम 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दायित्व करने में असफल रहे हैं।

और यह, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा सफाईकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्याख्या नहीं है।

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री टी० कन्नसामी को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्षों की कालावधि के लिए निरहित घोषित करता है।

[स० त० न०-वि० सं०/181/80 (12)]

S.O. 3684.—Whereas the Election Commission is satisfied that Shri T. Kuppasamy, Neduvakkottai Post, Kovilur Panchayat, Orathanad Taluk, Thanjavur District (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 181-Orathanad constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act the Election Commission hereby declares the said Shri T. Kuppasamy to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/181/80(42)]

क्र० आ० 3685 --यह निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 186-वालंगमैन (अ० जा०) संसदीय निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री एम० के० कान्नासामी, कांथागै, थिरुप्पुअम्बियम पोस्ट आफिम, पपानसम तालुक (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दायित्व करने में असफल रहे हैं।

और यह, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा सफाईकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्याख्या नहीं है।

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री एम० के० कान्नासामी को समद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्षों की कालावधि के लिए निरहित घोषित करता है।

[स० त० न०-वि० सं०/186/80 (13)]

S.O. 3685.—Whereas the Election Commission is satisfied that Shri S. K. Kannusamy, Konthagai, Thiruppuambiyam P.O., Papanasam Taluk (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 186-Valangaiman (SC) constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declare the said Shri S. K. Kannusamy to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/186/80(43)]

नई दिल्ली, 29 नवम्बर 1980

का० अ० 3686 —यत् निर्वाचन आयोग का समाधान हो गया है कि मई, 1980, में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 128-गुडालूर संसदीय निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री आर० सुब्रमणियम, मुर्गन, इल्लाम जिगनगोड पो० आ०, गुडालूर तालुका, द० निलगिरिज (तमिलनाडु), लोक प्रतिनिधित्व अधिनियम, 1951 तथा संबंधित बनाए गए नियमों द्वारा अर्पित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं।

और, यत्, उक्त उम्मीदवार ने उसे सम्बन्ध सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्याख्या नहीं है।

अतः अथ, उक्त अधिनियम की धारा 10A के अन्वय में निर्वाचन आयोग एतद्वारा उक्त श्री आर० सुब्रमणियम, का संसद के किसी भी सदन के या किसी राज्य का विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तराजू में तान बंधों का लाबाध के लिए निरहित घोषित करता है।

[स० न० ना०-वि० सं०/128/80 (14)]

New Delhi, the 29th November, 1980

S.O. 3686.—Whereas the Election Commission is satisfied that Shri R. Subramaniam, Murugan Ellam Cherangode P.O., Gudalur Taluk, The Nilgiris (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 128-Gudalur constituency, has failed to lodge an account of his election expenses in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure,

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri R. Subramaniam to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-1 A/128, 80(44)]

का० अ० 3287.—यत्, निर्वाचन आयोग का समाधान हो गया है कि मई, 1980, में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 190-कोलाथूर (अ० जा०) निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री ए० ई० रामामामी, पल्लीवासल स्ट्रीट, अन्नावसल (प० आ०) पुडुकोट्टाई जिला (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम 1951 तथा संबंधित बनाए गए नियमों द्वारा अर्पित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं।

और, यत्, उक्त उम्मीदवार ने उसे सम्बन्ध सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्याख्या नहीं है।

अतः अथ, उक्त अधिनियम की धारा 10A के अन्वय में निर्वाचन आयोग एतद्वारा उक्त श्री ए० ई० रामामामी, को संसद के किसी भी सदन के या किसी राज्य का विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तराजू में तान बंधों का लाबाध के लिए निरहित घोषित करता है।

[स० न० ना०-वि० सं०/190/80 (45)]

वी० के० राव अवर सचिव

S.O. 3687—Whereas the Election Commission is satisfied that Shri A. E. Ramasamy, Pallivasal Street, Annavasal (P.O.), Pudukkottai District (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 190-Kolathur (SC) constituency, has failed to lodge an account of his election expenses in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure,

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri A. E. Ramasamy to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of their order.

[No. TN-1 A/190/80(45)]

V. K. RAO, Under Secy.



